SIKKIM

GOVERNMENT GAZETTE

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DEPARTMENT OF LABOUR
GOVERNMENT OF SIKKIM
GANGTOK-737102

No. 01/LD/Adm **Dated: 04/04/2025**

NOTIFICATION

In exercise of the power conferred by section 35 of the Sikkim Labour (Regulation of Employment and Condition of Service) Act, 2021, the State Government hereby makes the following rules to amend the Sikkim Labour (Regulation of Employment and Condition of Service) Rules, 2021, namely:-

Short title and commencement

1. (1) These rules may be called the Sikkim Labour(Regulation of Employment and Condition of Services) (Amendment) Rules, 2025.

(2) They shall come into force at once.

Amendment of rule 2

2. In the Sikkim Labour (Regulation of Employment and Condition of Services) Rules, 2021, hereinafter referred to as the "said rules" in rule 2 after clause (c), the following clause shall be inserted namely:-

"(cc) electronically"means any information submitted by email or uploaded on the designated portal or digital payment in any mode for the purpose of the Act."

Amendment of rule 3

3. In the said rules 3, for existing sub-rule (1) (2) (3) and (4), the following shall be substituted, namely:-

"(1) The application for registration of an establishment shall be made in Form I, electronically or in duplicate in paper book form as the case may be, to the Registering Officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by prescribed fee which is to be remitted

electronically through online transfer or in the form of bank receipt as the case may be for registration of the establishment as specified in rule 25 (1).

(3) The application shall be made either electronically or personally delivered to the Registering Officer or sent to him by registered post as the case may be.

(4) On receipt of the application, the Registering Officer shall, after noting there on the date of receipt by him of the application, give an acknowledgment to the applicant electronically or otherwise."

Amendment of rule 4

4. In said rules, in rule 4, for existing sub-rule (1) and (2) the following shall be substituted, namely:-

"(1) where the Registering Officer registers the establishment, he shall issue to the principal employer a certificate of registration in Form II electronically or otherwise in a hard copy, as the case may be.

(2) The Registering Officer shall maintain a register in Form III electronically or paper book form showing the particulars of the establishment in relation to which certificates of registration are issued by him."

Amendment of rule 5

5. In said rules, in rule 5, for existing sub-rule (1) (3) (4) and (5) the following shall be substituted namely:-

"(1) The application for registration of Service Provider or Sub-Service Provider shall be made in Form IV electronically or in duplicate in paper book form, as the case maybe, to the Registering Officer of the area in which the establishment sought to be registered is located.

(3) The application shall be accompanied by prescribed fee which is to be remitted electronically through online transfer or in the form of bank receipt, as the case may be, for registration of the Service Provider or Sub- Service Provider as specified in rule 25 (2).

(4) The application shall be made either electronically or personally delivered to the Registering Officer or send to him by registered post, as the case may be.

(5) On receipt of the application, the Registering Officer shall, after recording the date of the receipt of application, give an acknowledgement to the applicant electronically or otherwise in hard copy."

Amendment of rule 6

6. In said rules, in rule 6, for existing sub-rule (1) and (2) the following shall be substituted, namely:-

"(1) Where the Registering Officer registers the Service Provider or Sub-Service Provider a certificate of registration in Form VI shall be issued to them electronically or otherwise in a hard copy.

(2) The Registering Officer shall maintain a register or record in Form VII, electronically or in a paper book form showing the particulars of the Service Provider or Sub-Service Provider in relation to which certificates of registration are issued by him."

Amendment of rule 9

7. In said rules, in rule 9, for existing sub-rule (1) (2) (3) (4) and (5) the following shall be substituted, namely:-

"(1) The application referred to in section 4 and 5 of the Act shall be made in Form I, IV & V electronically or in duplicate in a paper book form, as the case may be, accompanied by all the necessary documents as mentioned in the application form to the Registering Officer.

(2) The application referred to in section 6 of the Act shall be made in Form VIII & IX electronically or duplicate in a paper book form, as the case may be, accompanied by all the necessary documents as mentioned in the application form to the Registering Officer.

(3) The application referred to in sub- rule (1) and (2) shall be accompanied by prescribed fee which is to be remitted electronically through online transfer or in the form of bank receipt, as the case may be, for registration of the workers as specified in rule 25 (3).

(4) Every application referred to in sub-rule (1) and (2) shall be made either electronically or personally delivered to the Registering Officer or send to him by registered post, as case may be.

(5) On receipt of the application, the Registering Officer, shall after recording the date of receipt by him of the application, give an acknowledgement to the applicant electronically or otherwise in the hard copy."

Amendment of rule 10

8. In said rules, in rule 10, for existing sub-rule (1) and (2) the following shall be substituted, namely:-

"(1) The Registration Card granted shall be issued electronically or otherwise in hard copy card to the worker under section 6, which shall be in Unique Identity Card No. in Form X.

(2) The Registering Officer shall maintain a register in Form XI electronically or in a paper book form, as the case may be, showing Particulars and passport size photograph of each worker duly attested by Registering Officer."

Amendment of rule 16

9. In said rules, in rule 16, for existing sub-rule (2), the following shall be substituted, namely:-

"(2) The application for renewal of Registration Card or Unique Identity Card shall be submitted in Form XII electronically or in duplicate, as the case may be, to the Registering Officer not less than 15 (fifteen) days before the date of expiry."

Amendment of rule 19

10. In said rules, in rule 19, for existing sub-rule (1) (2) and (3), the following shall be substituted, namely:-

"(1) Every application by Establishment or Service Provider for employing workers under section 12 shall be made in Form XIII electronically or in a paper book form, as the case may be, to the Licensing Officer having jurisdiction in relation to the area wherein the establishment is situated.

(2) Every such application shall be made either electronically or personally delivered to the Licensing Officer concerned or sent to him by the registered post, as the case may be.

(3) On receipt of the application referred to in sub-rule (1), the Licensing Officer concerned shall after recording the date of receipt of the application, issue an acknowledgment to the applicant electronically or otherwise in a hard copy."

Amendment of rule 22

11. In said rules, in rule 22, for existing sub-rule (1), the following shall be substituted, namely:-

"(1) The Licensing Officer shall maintain a record in Form XV electronically or in a paper book form showing the Particulars of License issued duly attested by Licensing Officer."

Amendment of rule 24

12. In said rules, in rule 24, for existing sub- rule (2), the following shall be substituted, namely:-

"(2) the application shall be in Form XVI, electronically or in paper book form in duplicate, as the case may be and shall be made not less than 30 (thirty) days before the date of which the license expires."

Amendment of rule 26

13. In said rules, in rule 26, for existing of sub- rule (1), the following shall be substituted, namely:-

"(1) The Principle Employer or Employer or Owner of establishment shall submit monthly returns in Form XVII, electronically or in a paper book form, as the case may be, to the Labour Department by 10th day of every month."

Amendment of rule 27

14. In said rules, in rule 27, in sub- rule (1), for existing Clause (a) (b) and (c) the following shall be substituted, namely:-

"(a) furnish such particulars in Form XVIII, electronically or in a paper book form, as the case may be, to the specified authority within 15 (fifteen) days where any change occurs in any of the particulars so furnished;

(b) furnish the list of workers in Form XIX, electronically or in a paper book form, as the case may be, to the Registering Officer who have left the State with a copy to the concerned area Labour Inspector;

(c) furnish in respect of every laborer who ceases to be employed, a monthly return in Form XX, electronically or in a paper book form, as the case may be, to the specified authority that all the wages and other dues payable to the workers have been paid."

Amendment of rule 28

15. In said rules, in rule 28, for existing sub-rule (1) (3) and (4), the following shall be substituted, namely:-

"(1) The individual worker shall apply for Registration in Form IX, electronically or otherwise, as the case may be, to the Registering Officer of the area in which the individual worker sought to be registered is located.

(3) The individual worker shall furnish such particulars to the Registering Officer within 15 (fifteen) days where any change occurs in any of the particulars so furnished in Form XI, electronically or otherwise, as the case may be.

(4) The Workers desirous of leaving the State forever shall surrender his other Registration Card to the Registering Officer with a copy to the concerned area Labour Inspector in Form XIX, electronically or otherwise, as the case may be."

Amendment of Form XVII

16. In the said rules, for existing Form XVII, the following shall be substituted namely:-

FORM XVII

(See sub-rule (1) of rule 26)

(Monthly return to be sent by the Principal Employer/ Employer/ Owners of Establishments/ Service Provider/ Sub-Service Provider to the Registering Officer under the Sikkim Labour (Regulation of Employment and Conditions of Service) Rules, 2021)

1. District
2. Registration No.
3. License No.
4. Month
5. Year
6. Name of Employer or Service Provider or Owner of establishment
7. Name and address of the establishment or workplace
8. Total no. of workers
9. Details as under

Sl. No.	Name of worker	Sikkim Labour Registration ID number	Father/ Husband's Name	Sex (M/F)	Designation/ Nature of Work

Age	DOB	Aadhaar Number	Voter ID	EPF No.	ESCI IP No.

UAN No. (For those who are not covered under EPFO/ESIC) Issued under E-Shram Portal	Is the worker a Building or Construction worker (Y/N)	Present Address	Permanent Address	Phone Number	Date of employment (for new workers)

Date on which ceased to be employed	Rates of daily wages	Total number of days worked in the reporting month	Salary Paid	Total overtime worked	Amount paid for over time

Deduction of amount from wages (if any)	Total expenses on medical treatment incurred	Other facilities	Remarks

A: **New workers joined during the month.**

B: **Already existing workers.**

C: **Workers who have left the job during the month.**

DECLARATION: I do declare hereby that the details given above are correct to the best of my knowledge and belief.

Date:

Place:

Omission of Form XX

17. In the said rules, Form XX shall be omitted.

Signature of Principal Employer/Employer/ Owner of Establishment/Service Provider/ Sub-Service Provider or Authorized Representatives.

Bhim Thatal, SCS
Secretary to the Government
Labour Department
F No: GOS/DL/58/24-25/Adm